

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

IN RE: EVOLVE BANK & TRUST
CUSTOMER DATA SECURITY BREACH
LITIGATION

MDL No. 2:24-md-03127-SHL-cgc

Judge Sheryl H. Lipman

PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL

Plaintiffs Samantha Walker, Steven Mason, Tracy E. Starling, Terrance Pruitt, Duncan Meadows, Zachary Grisack, Christina Fava, Laura Robinson, Jo Joaquim, Nicole Peterson, Mark D. Van Nostrand, Sharyn Jackson, Evin Jason Shefa, and Lisa Adewole, individually and on behalf of all others similarly situated (“Class Members” or “putative Class Members”), respectfully request that the Court grant preliminary approval of the proposed Class Settlement, which resolves all claims against all Defendants in this MDL. The Settlement achieved here is an excellent result for the Class. In support of this motion, Plaintiffs incorporate the contemporaneous filed Memorandum of Points and Authorities, the Class Settlement Agreement attached as Exhibit 1, the Declaration of Class Counsel attached as Exhibit 2, and the Declaration of Kroll Settlement Administration LLC attached as Exhibit 3.

WHEREFORE, Plaintiffs respectfully request that the Court enter an order (1) granting preliminary approval of the Settlement; (2) certifying the Class for the purpose of the Settlement pursuant to Federal Rule of Civil Procedure 23(a) and 23(b)(3); (3) ordering the Settlement Administrator to direct and issue notice to the Class under the terms of the Settlement Agreement; (4) appointing Samantha Walker, Steven Mason, Tracy E. Starling, Terrance Pruitt, Duncan Meadows, Zachary Grisack, Christina Fava, Laura Robinson, Jo Joaquim, Nicole Peterson, Mark D. Van Nostrand, Sharyn Jackson, Evin Jason Shefa, and Lisa Adewole as Class Representatives

for the purpose of the Settlement; (5) appointing J. Gerard Stranch, IV as Lead Counsel; Gary Klinger, Linda Nussbaum, Jeff Ostrow, James Pizzirusso, Scott Poynter and Lynn Toops as Members of the Executive Committee; and Frank Watson of Watson Burns, PLLC as Liaison Counsel for the Plaintiffs' Settlement Class; and (6) entering the Settlement schedule as proposed by the terms of the Settlement Agreement .

Dated: April 1, 2025

Respectfully submitted by,

/s/ J. Gerard Stranch, IV
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Class Liaison Counsel

Attorney for Plaintiff and the Putative Class

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document *PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL* was electronically filed on April 1, 2025, using the Court's Electronic Filing System, which will send a Notice of Electronic Filing to counsel in the CM/ECF system.

/s/ J. Gerard Stranch, IV
J. Gerard Stranch, IV (BPR 23045)